

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE PHILIPS RECALLED CPAP, BI-
LEVEL PAP, AND MECHANICAL
VENTILATOR PRODUCTS
LITIGATION

THIS DOCUMENT RELATES TO:

Michael Barrette,
Case No. 2:25-cv-01108

)
)
) Master Docket: 2:21-mc-01230-JFC
)
) MDL No. 3014
)
) Honorable Joy Flowers Conti
)
)
)

**NOTICE OF UPCOMING DEADLINES
UNDER DOCKET MANAGEMENT ORDER
FOR LITIGATING PLAINTIFFS**

Pursuant to the Court's July 3, 2025 Order Granting Supplemental Relief with Respect to the Docket Management Order, Dkt. 21-mc-1230, ECF No. 3421, please take notice that the following deadlines established by the Court in the Docket Management Order entered on May 9, 2024, Dkt. 21-mc-1230, ECF No. 2769, apply to this case, which was transferred into this MDL on July 23, 2025:

1. **BY AUGUST 22, 2025:**

- a. Production to Defendants of Preservation Notices (and associated documents) concerning records relating to the Litigating Plaintiff's claims. Docket Management Order, ¶¶ 12-14.

2. **BY SEPTEMBER 22, 2025:**

- a. Production to Defendants of the materials required by Docket Management Order, ¶ 15(a), including:
 - i. All disclosures required by Fed. R. Civ. P. 26(a)(1);
 - ii. Completed Litigating Plaintiff Fact Sheet;

- iii. Medical Records;
- iv. Autopsy Reports and Death Certificates;
- v. Records Relating to Use of the Recalled Device and any Replacement Device;
- vi. Record Collection Production; and
- vii. Declaration Under Penalty of Perjury.

b. Production to Defendants of Proof of Injury required by Docket Management Order, ¶ 16.

1. **BY OCTOBER 21, 2025:**

- c. Production to Defendants of Expert Reports required by Docket Management Order, ¶ 17.

Please take notice that the claims of any Litigating Plaintiff who fails to comply fully with these deadlines are subject to dismissal with prejudice. Docket Management Order, ¶¶ 20-21.

Dated: July 29, 2025

Respectfully submitted,

/s/ John P. Lavelle, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2025, the foregoing document was electronically filed with the Clerk of Court and served upon counsel of record through the Court's ECF filing system.

/s/ John P. Lavelle, Jr.
John P. Lavelle, Jr